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Our Ref: FP1911/DP

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19 August 2005

**FAX COPY - CONFIRMATION BY MAIL**

No. of Pages 2      Your Fax No. 001 612 6285 3929      Our Fax No. (65) 6227 3898

Dear Sirs

Re: PCT Patent Application No. PCT/SG2003/000284  
entitled METHOD AND APPARATUS FOR IDENTIFYING PATHOLOGY IN BRAIN  
IMAGES  
in the name Agency for Science, Technology and Research

Thank you for your message of 26 July 2005 granting an extension of time until 3 September 2005 for filing a response to the Written Opinion with a date of mailing of 3 June 2005.

In the Written Opinion, a new citation "Hu & Nowinski" was raised as prior art and the Opinion asserted that the citation was available online from 14 November 2003. However, the Opinion did not provide any evidence for this date and thus, the applicant respectfully request the Examiner to clarify on this point, particularly since the Examiner accepts that this article is in the December issue of the journal, which conceivably could be "published" only after the filing date of the PCT application of 12 December 2003.

Even if the article is considered prior art, pending the Examiner's clarification regarding the date of the online disclosure, we submit that "Hu & Nowinski" is less relevant than the examiner suggested. As to the reasons for our submission, we provide the following detailed comments:

The present invention as defined in claim 1 relates to identifying pathological images by measuring the AFLSs of a certain image, and identifying the ratio of the outlier AFLSs to the inlier AFLSs. In contrast, "Hu & Nowinski" does not mention identifying pathological images at all. Instead, "Hu & Nowinski" discloses an algorithm for identifying the MSP of a

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neuroimage (see Abstract first two lines and page 2164 under the "Conclusion" section). This technique might be used in the present invention, but the present invention goes beyond that by identifying pathological images using the MSP. In the prior art article, the MSP is found by an algorithm which is actually insensitive to pathological images, and so in this sense teaches away from a technique for identifying such images.

Further, "Hu & Nowinski" mentions outlier AFLSs (page 2156 right hand column, passages under "Calculation of the inliers of the midsagittal plane"), but such AFLSs are discarded, not compared with the inlier AFLSs. For that reason, the prior art article does not disclose or suggest calculating a ratio of outliers to the inliers (as in step (b) of claim 1), or comparing that ratio with a threshold (as in step (c) of claim 1).

Therefore, in view of the above even if the reference "Hu & Nowinski" is considered prior art, this article is not relevant, and we submit that the present invention is novel and inventive over it. However, if the Examiner is desirous of maintaining his/her objections despite our submissions, or has other concerns, we respectfully request for another opportunity to address his/her concerns since the deadline for establishing the examination report is still some time away.

Yours faithfully

Lloyd Wise, Singapore  
Daniel Poh

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